

DEC 19 2005

IFW

Express Mail Label No.: EV 695513415 US

Date of Deposit: December 15, 2005

Attorney Docket No. 26048-019



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Lee *et al.*

SERIAL NUMBER: 10/840,209

EXAMINER : Tara L. Mayo

FILING DATE: May 5, 2004

ART UNIT : 3671

FOR: LOAD-BEARING, LIGHTWEIGHT, AND COMPACT SUPER-
INSULATION SYSTEM

December 15, 2005
Boston, Massachusetts

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

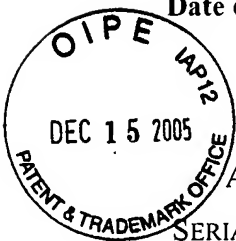
Transmitted herewith for filing in the present application are the following documents:

- ☒ Response to Restriction (2 pages); and
- ☒ Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at telephone (617) 542-6000. Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 26048-019. A duplicate copy of this Transmittal is enclosed.

Respectfully submitted,

Robert J. Sayre, Reg. No. 42,124
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.
Address all written correspondence to
Customer No. 30623
Tel: (617) 542-6000
Fax: (617) 542-2241



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Lee *et al.*
SERIAL NUMBER: 10/840,209 EXAMINER : Tara L. Mayo
FILING DATE: May 5, 2004 ART UNIT : 3671
FOR: LOAD-BEARING, LIGHTWEIGHT, AND COMPACT SUPER-
INSULATION SYSTEM

December 15, 2005
Boston, Massachusetts

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION

This paper is in response to the Office Action of August 3, 2005, in the above-identified patent application, wherein a restriction was issued. The Applicants' undersigned representative responded via voicemail to the Examiner on September 14, 2005, pointing out that a preliminary amendment was filed on December 23, 2004, wherein the claims were amended and further pointing out that the restriction was directed to the originally filed claims. The Examiner responded to the voicemail via a telephone call to the undersigned representative on September 22, 2005, and indicated that she found the previously filed preliminary amendment and that she would withdraw the restriction and issue a new action based on the claims, as amended by the preliminary amendment (pending approval by her supervisor).

After not receiving a new action or other response, Applicants' representative followed up with a couple more telephone calls to the Examiner (leaving a voicemail each time) in December 2005. The Examiner responded via telephone today (December 15, 2005) and indicated that a response, in which the error is noted, would need to be filed before a new action could be issued. This response is being filed to serve that purpose. In view of the previous communications from the United States Patent and Trademark Office, leading the Applicant to reasonably believe that a response to the original restriction need not be filed, Applicant respectfully submits that no extension fees for response should be imposed.